

Message

From: CWFhearing [CWFhearing@waterboards.ca.gov]
Sent: 8/1/2018 10:05:38 PM
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Subject: CWF Petition Hearing - Ruling on DWR's Motion for Reconsideration of Hearing Officers' July 27, 2018 Ruling
Attachments: dwr_1212_rev2.pdf

Service List and Interested Parties,

This email transmits the hearing officers' ruling on the Department of Water Resources' (DWR) motion for reconsideration of the hearing officers' July 27, 2018 ruling striking DWR-1226 (the written testimony of Erik Reyes) and portions of DWR-1212 (the written testimony of John Bednarski). As to pp. 20-22 in DWR-1212, the motion is GRANTED for the reasons provided in DWR's motion. As to DWR-1226, the motion is DENIED. Sponsoring testimony is not required for the admission of an exhibit into evidence, and the hearing officers did not require sponsoring testimony for revised exhibit DWR-1143. Mr. Reyes' rebuttal testimony regarding Rio Vista flows went beyond responding to the issues raised in the Part 2 case-in-chief testimony of Chris Shutes that DWR identified in its motion. Mr. Reyes still should appear as a witness on Petitioners' Panel 2 to be available to answer questions regarding the second revised exhibit DWR-1143.

Respectfully,

CA WaterFix Hearing Team

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Phone: 916-319-0960

[http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/water rig ht_petition.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/water_rig ht_petition.shtml)